

April 25, 1979

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P
Y

Mr. William H. Boley
Forest Engineer
U. S. Forest Service
Manti-LaSal National Forest
350 East Main Street
Price, Utah 84501

Dear Mr. Boley:

This will acknowledge and thank you for your letter of March 22, 1979.

I have had an opportunity to review the activities of Ferto for the operating year 1978.

The road system which is being built by Ferto has in no way improved the drainage and it can easily be determined that the drainage system that they "installed" was entirely inadequate and the erosion problem has been significantly increased rather than prevented.

We have made continuous inspections during the year 1978 and would have to disagree that there was no mining activity taking place on the property, as we observed the mining activity in progress on numerous occasions.

It is incredible to me that Ferto could be allowed to push rock and debris into the stream system and push overburden over the vegetation which is otherwise very sparse, all resulting in tremendously increased potential for erosion as well as actual erosion.

I have previously requested on three separate occasions the operating plan or plans and the environmental assessment materials which have been furnished to the Forest Service concerning Ferto's operation. I have never received any information, although it has been promised on two separate occasions.

Mr. William H. Boley
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By this letter, I am asking that I receive a copy of all information which has been furnished by Ferto to the Forest Service concerning their environmental assessment report, their operating plan or plans and the materials which have been furnished with respect to rehabilitation and environmental control.

C I would like to receive whatever approval was given by the Forest Service for the alteration of the drainage system and the culverts which were installed in the road which they constructed.

O I would appreciate receiving some information from you with respect to what factors you might be considering in making a determination as to when it is appropriate to furnish the information which I have requested.

P If it is a question of my financial ability to pay for the cost and expense of copying the materials or furnishing materials, I would be more than happy to send a deposit to cover and defray such cost and expense.

Yours very truly,

James R. Gillespie

JRG:sh

P.S. Enclosed please find a check in an amount not to exceed \$25.00 to cover the costs and expenses of the materials requested.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Manti-LaSal National Forest
350 East Main Street
Price, Utah 84501

2800

March 22, 1979



Mr. James R. Gillespie
Eberle, Berlin, Kading, Turnbow & Gillespie
300 North Sixth Street
Post Office Box 1368
Boise, Idaho 83701

Dear Mr. Gillespie:

I am sorry to be somewhat slow in responding to your letter of 1/26/79 concerning the Ferto mining operation in Dry Creek. Some research was necessary to answer the questions raised in your letter.

We are presently evaluating the operating plan submitted to us by the Ferto Corporation and have had some questions concerning the feasibility and success of the rehabilitation portion of the plan. We are presently communicating with Ferto to clarify their proposal.

A rough draft Environmental Assessment Report has been prepared, but it has not been finalized and approved. The completion of this report hinges on a clear understanding and evaluation of the rehabilitation plan mentioned above.

The road system on the National Forest is entirely within their mining claims. Recent road work done by Ferto was on Forest land. It was to improve the drainage and prevent erosion. This was done at the verbal request of the Sanpete District Ranger. No mining was done during 1978. The material that was hauled during late summer and fall was from a stockpile of material previously placed below the mine area.

As stated above, the future of this mining venture is pending approval of the operating plan submitted by U.S. Ferto, and we are actively pursuing the answers to several questions concerning the rehabilitation of the area. Any changes in the rehabilitation plan will change the method of removal and may require a revised plan be submitted. Changes of this type are time consuming and at this time we do not know when sufficient material will be available to complete the Environmental Assessment Report.

JR RECEIVED
MAR 29 1979

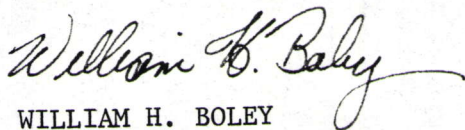
J. R. GILLESPIE

U.S. Ferto has been notified that their operation cannot continue until their operating plan is approved. When the operating plan and Environmental Assessment Report are approved, these documents can be made available to you.

Mining is a legitimate and necessary use of public lands, but a quality operation is essential to protect, or mitigate to an acceptable level, the impacts on other environmental values.

I will see that the information you request is made available to you when it is appropriate to do so.

Sincerely,

A handwritten signature in cursive script, reading "William H. Boley". The signature is written in dark ink and is positioned above the typed name and title.

WILLIAM H. BOLEY
Forest Engineer